IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6457 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 6457 of 2002
MR MIHIR H JOSHI for Petitioner No. 1-2
MR JM MALKAN for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 02/11/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

Mr.Mihir Joshi, learned counsel for the petitioners seeks permission to withdraw this petition as he wants to make proper representation to respondent No.2-The Development Commissioner, Kandla Free Trade Zone, Gandhidham, Kutch, who may decide his representation in accordance with law as early as possible. Mr.Malkan, learned Standing Counsel for the respondents has no objection to it.

If such a representation is made within four weeks from today, then the same may be considered and decided in accordance with law by the respondent No.2 as early as possible preferably within three months from the date of the receipt of the same. At this stage, Mr.Joshi, learned counsel for the petitioners, requested that liberty be reserved to the petitioners to challenge any adverse decision on his representation, before appropriate forum by way of appropriate proceedings. If the decision is adverse, then the same may be challenged before the appropriate forum by way of appropriate proceedings, if it is permissible under the law.

With these observations and directions, permission is granted to withdraw this petition. Dismissed as withdrawn. Rule is discharged.

(B.J.Shethna, J.)

(Sharad D. Dave, J.)

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